

# STATE OF WASHINGTON AFFIRMATIVE ACTION GUIDELINES

Department of Personnel  
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# FOREWORD

An Affirmative Action Plan sets forth results-oriented programs to which employers commit their good faith efforts to attain and maintain equal employment opportunity. The requirements for Affirmative Action Plans are contained in Federal Executive Order 11246 and in Affirmative Action Guidelines issued by the U. S. Departments of Labor and Justice. These guidelines are consistent with the aforementioned documents and outline the responsibilities of agencies and institutions of higher education to ensure equal employment opportunity and affirmative action.

## Affirmative Action Guidelines

### INTRODUCTION

The State of Washington has a long established employment policy of non-discrimination on the basis of characteristics that are not directly related to the ability of an individual to perform a job. The state requires that its agencies and institutions undertake affirmative action programs to recruit and promote into all levels of employment women, people of color, persons with disabilities, persons over the age of 40, and disabled and Vietnam-era veterans. These guidelines are designed to assist agencies and institutions of higher education in implementing state policy.

### ROLES AND RESPONSIBILITIES

Listed below are the roles and responsibilities of the following agencies, institutions and commissions:

- 1) **Human Rights Commission**: Under Chapter 49.74 of the Revised Code of Washington (RCW), the commission is provided enforcement authority for affirmative action with Washington state government agencies and institutions of higher education. The commission is also given the responsibility to provide training and assistance in equal employment matters under the Washington State Executive Order on Diversity (E.O. 93-07).
- 2) **Department of Personnel (DOP)**: Under Chapters 356 *and* 251 of the Washington Administrative Code and the Washington State Executive Order on Diversity, the DOP is responsible for administering the state's affirmative action program. This responsibility includes providing guidance and assistance to agencies and institutions, and monitoring and reporting their progress.
- 3) **State Agencies and Institutions of Higher Education**: Under the Revised Code of Washington (RCW) 41.06.150 and the Washington State Executive Order on Diversity, agencies and institutions (A/I) must maintain an affirmative action program promoting affirmative action and equal employment opportunity in recruitment, appointment, promotion, transfer, training, and career development.
- 4) **Governor's Affirmative Action Policy Committee (GAAPCom)**: Under the Washington State Executive Order on Diversity, the GAAPCom supports the implementation strategies and goal objectives of affirmative action plans that are developed by state agencies and institutions. The GAAPCom also advises the Governor regarding state affirmative action policies, to include periodic reporting of the state's progress in meeting its goals.

## Affirmative Action Guidelines

- 5) **Affirmative Action Triad (Triad)**: The Triad is the principal medium for monitoring the Affirmative Action policies and progress of the State of Washington General Government Agencies and Institutions of Higher Education. It consists of the Affirmative Action Officer (AAO) of an Agency or Institution, the Department of Personnel assigned Human Resource Consultant (DOPRep), and the assigned GAAPCom representative (GAAPRep). It is the principal medium for developing the plan/update of the A/I, including progress in meeting goals and maintaining current affirmative action policies.

## AFFIRMATIVE ACTION REQUIREMENTS

A. Affirmative Action Requirements for General Government Agencies and Higher Education Institutions:

- 1) **All Agencies/Institutions of Higher Education must *maintain*:**
  - An annual **Affirmative Action/Equal Employment Opportunity Policy Statement**, approved by the agency or institution head.

In addition, agencies must maintain:

  - **Policy statements on Sexual Harassment and Reasonable Accommodation**, updating these statements as needed.
- 2) **Agencies/Institutions of Higher Education with 25 - 49 Employees (FTEs)**. In addition to maintaining the policy statements identified in 1) above, these agencies/institutions are required to ***submit***:
  - A **Small Agency/Institution Workforce Profile** of their organization to the Department of Personnel no later than July 1st of each year. An example format for this profile is reflected at Appendix A.
- 3) **Agencies/Institutions of Higher Education with 50 or more Employees (FTEs)**. In addition to maintaining the policy statements identified in 1) above, these organizations are required to ***submit***:
  - An **Affirmative Action Plan (AAP)** to the Department of Personnel on a four-year cycle.
  - An **Update** to the plan two years into the cycle.

## Affirmative Action Guidelines

### B. Submittal Options - Non-Federal and Federal Reporting:

- 1) Agencies and Institutions of Higher Education **without** federal affirmative action reporting obligations are required to submit state plans and updates.
- 2) Agencies and institutions **with** federal reporting requirements to the Office of Federal Contract Compliance Programs, or the Office of Civil Rights have the following options:
  - Submit full federal plans in lieu of state plans; however, these plans must include all affected groups required by the state.
  - Submit only those elements from the federal plan that are required at the state level, or
  - Submit the formats prescribed in these guidelines. This will meet state affirmative action requirements separate and apart from federal obligations.

Agencies and institutions **with** federal requirements are allowed the option of submitting their affirmative action plans annually or following the state's four-year reporting cycle.

### C. Reporting Formats for Affirmative Action Plans and Updates

Reporting formats for Affirmative Action Plans and Updates are flexible. Agencies and Institutions may use one of the following formats in meeting the requirements of these guidelines:

- The formats prescribed in these guidelines.
- Workforce, Utilization, and Goals reports generated by the computer software program (MFASYS) provided by the Department of Personnel.
- Federal plan formats provided they include information required by the state.
- Workforce, Utilization, and Goals reports generated by agency/institution-unique software applications.

**NOTE:** Samples of the first three formats are available from DOP.

## AFFIRMATIVE ACTION PLAN/UPDATE COMPONENTS

### A. AFFIRMATIVE ACTION PLANS

Agency and Higher Education Institution **Affirmative Action Plans** shall include the following:

## Affirmative Action Guidelines

- 1) A **Total Workforce Profile Roll-Up**, by Full Time Equivalents **FTE's** or **Headcount**, reflecting total employees and total employees by affirmative action affected groups.

Year	Total	Women		Total POC*		African American		Hispanic		Asian Pacific Islander		Native American		Persons with Disb.		Disabled Vet.		Viet. Vet.		40 & Over*	
	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%

\* Optional Column  
POC = People of Color

- 2) A **Utilization and Goals Report** reflecting the following, by job group, for each affirmative action affected group:

- Current utilization in number and percent.
- Availability percentages.
- Whether a goal has been set.

Goals, equal to availability, shall be set for all affirmative action affected groups where the current utilization percent is less than the availability percent.

Job Group:	Total	Women	Total POC*	African American	Hispanic	Asian Pacific Islander	Native Amer.	Pers. with Disb.	Dis-abled Vet.	Viet-nam Vet.	40 & Over*
Current Utilization #											
Current Utilization %											
Availability %											
Goals Set (Y/N)											

\* Optional Column  
POC = People of Color

- 3) A **Strategies** section containing a detailed narrative of the strategies to be employed to address under-utilization. The focus of the discussion is: "What is going to be done to address the identified under-utilizations?"

## Affirmative Action Guidelines

(See [Appendix B](#) for an Affirmative Action Strategies Planning Chart detailing information and advice on problem analysis and solutions, with examples of how to analyze data and implement strategies.)

- 4) A **Response to Previous GAAPCom Recommendations** section containing a narrative response to any recommendations made by GAAPCom as a result of its last review. This should include a reiteration of the previous recommendation and the agency/institution's response.
- 5) Any **Supporting Documentation** requested by the DOPRep and/or GAAPRep.

(See [Appendix C](#) for a sample Affirmative Action Plan format)

### B. UPDATES TO AFFIRMATIVE ACTION PLANS

Agency and Higher Education Institution **Affirmative Action Plan Updates** shall include the following:

- 1) A **Total Workforce Profile Roll-Up** reflecting the organization's current status, and the status which existed at the time the affirmative plan was developed. This roll-up will reflect total FTEs or headcount, and total employees by affirmative action affected group categories.

Year	Total	Women		Total POC*		African American		Hispanic		Asian Pacific Islander		Native American		Pers. With Disb.		Disabled Vet.		Viet. Vet.		40 & Over*	
	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%

\* Optional Column  
POC = People of Color

- 2) A **Goals Report** reflecting the following, by job group, for each affirmative action affected group:
  - a. Employee headcount or FTE's at the time affirmative action plan was developed.
  - b. Appointments in number and percent since affirmative action plan's development.

## Affirmative Action Guidelines

- c. Current utilization numbers and percentages.
- d. Availability percentage (from the baseline AAP).
- e. Whether a goal has been met. (That is, whether appointments have been made at the rate of availability for the reporting period)

Job Group: _____	Total	Women	Total POC*	African American	Hispanic	Asian Pacific Islander	Native Amer.	Pers. With Disb.	Dis-abled Vet.	Viet-nam Vet.	40 and Over*
Previous #											
Appointment #											
Appointment %											
Current Utilization #											
Current Utilization %											
Availability %											
Goals Met for Period (Placements) (Y/N)											

\*Optional Column

POC = People of Color

- 3) A **Strategies** section containing a detailed narrative of the strategies employed during the reporting period, and the strategies planned for the upcoming reporting period. The focus of the discussion is:
  - a. What was done to address the under-utilizations,
  - b. What happened (i.e. outcomes),
  - c. What are the next steps.

(See [Appendix B](#) for an Affirmative Action Strategies Planning Chart detailing information and advice on problem analysis and solutions, with examples of how to analyze data and implement strategies.)
- 4) A **Response to Previous GAAPCom Recommendations** section containing a narrative response to any recommendations made by GAAPCom as a result of its last review. This should include a reiteration of the previous recommendation and the agency/institution's response.
- 5) Any **Supporting Documentation** requested by the DOPRep and/or GAAPRep.



## **Affirmative Action Guidelines**

(See [Appendix D](#) for a sample Affirmative Action Plan Update)

### **AFFIRMATIVE ACTION PLAN & UPDATE DEVELOPMENT, REVIEW AND APPROVAL**

#### **Development Process**

1. Agencies and Institutions are responsible for preparing AAP's and Updates including the required statistical analysis in consultation with their assigned Triad members. Agencies and institutions shall prepare the required workforce and goals reports using one of the following formats:
  - The formats prescribed in these guidelines.
  - The computer software program provided by the Department of Personnel.
  - Federal plan formats. \*
  - Agency/institution-unique applications. \*

\* Provided they include the information required in these guidelines.
2. The statistical analysis shall be disseminated to all Triad members to allow their review before the meeting.
3. The Triad meeting is held.
  - The primary focal point for affirmative action plan development is the Triad meeting. This meeting should be held during the early stages of the planning process to provide collaboration and accountability. The Triad meeting should be held in person.
  - The head of the agency/institution is expected to participate during part of the Triad meeting, providing his/her specific direction to the organization's affirmative action program.
  - The primary purpose of the meeting is to discuss the data, review goals, discuss other relevant issues, and develop strategies for the AAP or Update.
  - The agency/institution should finalize its AAP or Update within the timeframe established at the Triad meeting.

## **Affirmative Action Guidelines**

(See the detailed roles and responsibilities of Triad members at [Appendix E.](#))

4. Following the Triad meeting, the AAO finalizes and forwards the AAP or Update to the DOPRep/GAAPRep for review and approval.

## **Review Process**

5. The DOPRep and GAAPRep conduct a review of the AAPlan or Update.
6. In consultation with the GAAPRep, the DOPRep prepares a memo containing:
  - A Summary Analysis
  - Commendations
  - Recommendations
  - Other information as needed
7. The DOPRep forwards the summary memo to the GAAPRep and AAO for review and comment.
8. Following receipt of comments from the GAAPRep, the DOPRep forwards the final summary memo and AAP or Update materials to full GAAPCom for review.

## **Approval Process**

9. The GAAPCom has 7 working days to reply with comments.
10. A final approval letter is drafted by the DOPRep.
11. The DOPRep forwards the draft approval letter to the AAO/GAAPRep for review.
12. The DOPRep makes any final changes and finalizes the approval letter.
13. The final approval letter is sent to the GAAPCom Chair for signature and distribution to the agency/institution Director/President and Triad team.